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FEBRUARY 09, 2005

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700151802A

SENNIGER POWERS
 KATHLEEN M. PETRILLO
 ONE METROPOLITAN SQUARE
 16TH FLOOR
 ST. LOUIS, MO 63102

UNITED STATES PATENT AND TRADEMARK OFFICE
 NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/04/2005

REEL/FRAME: 015662/0810
 NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).
 ASSIGNOR:

ELANEX PHARMA (IOM) LTD.

DOC DATE: 08/24/2001

ASSIGNEE:

BAXTER HEALTHCARE S.A.
 HERTISTRASSE 2
 WALLISELLEN, KANTON
 ZURICH, SWITZERLAND CH-8306

SERIAL NUMBER: 09637962

FILING DATE: 08/11/2000
 ISSUE DATE:

PATENT NUMBER:

TITLE: THERAPEUTIC METHODS FOR TREATING SUBJECTS WITH A RECOMBINANT
 ERYTHROPOIETIN HAVING HIGH ACTIVITY AND REDUCED SIDE EFFECTS

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015662/0810 PAGE 2

MARCUS KIRK, EXAMINER
ASSIGNMENT DIVISION
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Form PTO-1595 (Rev. 09/04)
OMB No. 0651-0037 (exp. 6/30/2005)U.S. DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

BLX-5704(US)

RECORDATION FORM COVER SHEET

BXTR 9005

PATENTS ONLY

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies)/Execution Date(s): Elanex Pharma (IOM) Ltd. Execution Date(s): 2001 Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		2. Name and address of receiving party(ies) Name: Baxter Healthcare S.A. Internal Address: _____ Street Address: Hertistrasse 2 Wallisellen, Kanton _____ City: Zurich _____ State: _____ Country: Switzerland Zip: CH-8306	
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Government Interest Assignment <input type="checkbox"/> Executive Order 9424, Confirmatory License <input type="checkbox"/> Other		Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
4. Application or patent number(s): _____ A. Patent Application No.(s) 09/637,962; filed August 11, 2000		<input type="checkbox"/> This document is being filed together with a new application. B. Patent No.(s) Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
5. Name and address to whom correspondence concerning document should be mailed: Name: Kathleen M. Petrillo Internal Address: Senniger Powers Street Address: One Metropolitan Square 16th Floor City: St. Louis State: Missouri Zip: 63102			
6. Total number of applications and patents involved: 1 7. Total fee (37 CFR 1.21(h) & 3.41) \$ 40.00 <input type="checkbox"/> Authorized to be charged by credit card <input type="checkbox"/> Authorized to be charged to deposit account <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> None required (government interest not affecting title)			
8. Payment Information a. Credit Card Last 4 Numbers _____ Expiration Date _____ b. Deposit Account Number 19-1345 Authorized User Name Senniger Powers Leavitt &			
9. Signature:  Signature Kathleen M. Petrillo		Date 2-4-05 Total number of pages including cover sheet, attachments, and documents: 3	

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Mail Stop Assignment Recordation Services, Director of the USPTO, P.O.Box 1450, Alexandria, V.A. 22313-1450

TRANSACTION REPORT

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TOTAL : 2M 8S PAGES: 6

Law Offices of

SENNIGER POWERS

One Metropolitan Square, 16th Floor
St. Louis, Missouri 63102Telephone (314) 231-5400
Facsimile (314) 231-4342

FACSIMILE TRANSMITTAL COVER SHEET

BXTR 9005

DATE: February 18, 2005 ATTORNEY DOCKET NUMBER: ELX-5704 (US)

PTO FACSIMILE NUMBER: (703) 306-5995

PLEASE DELIVER THIS FACSIMILE TO: PTO Assignment System(PTAS)THIS FACSIMILE IS BEING SENT BY: Kathleen M. PetrilloNUMBER OF PAGES: 6 INCLUDING COVER SHEETTIME SENT: 5:04 pm OPERATOR'S NAME Lori Macke

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Lori Macke
Typed or printed name of person signing certification

Lori Macke

2-18-05

Signature

Date

Type of paper transmitted: Response Under 37 C.F.R. 3.51,
Recordation Form Cover Sheet, Agreement and copy of Notice of Non-
Recordation

Applicant's Name: L. Thompson

Serial No. (Control No.): 09/637,962 Examiner: R. DeBerry

Filing Date: August 11, 2000 Art Unit: 1647

Application Title: THERAPEUTIC METHODS FOR TREATING SUBJECTS
WITH A RECOMBINANT ERYTHROPOIETIN HAVING
HIGH ACTIVITY AND REDUCED SIDE EFFECTS

IF YOU DO NOT RECEIVE ALL PAGES CLEARLY, CALL BACK AS SOON AS POSSIBLE. CONFIRMING NUMBER IS (314) 231-5400.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of L. Thompson

Art Unit 1647

Serial No. 09/637,962

Filed August 11, 2000

Confirmation No. 8001

For **THERAPEUTIC METHODS FOR TREATING SUBJECTS WITH A RECOMBINANT
ERYTHROPOIETIN HAVING HIGH ACTIVITY AND REDUCED SIDE EFFECTS**

Examiner Regina M. DeBerry

February 18, 2005

RESPONSE UNDER 37 C.F.R. 3.51

TO THE COMMISSIONER FOR PATENTS,

SIR:

In response to the Notice of Non-Recordation of Document dated February 9, 2005,

* regarding Document ID No.: 700151804, Applicant herein resubmits the attached assignment
with a corrected cover sheet.

The Commissioner is hereby authorized to charge any additional fees required to Deposit
Account No. 19-1345.

Respectfully submitted,



Kathleen M. Petrillo, Reg. No. 35,076
SENNIGER POWERS
One Metropolitan Square, 16th Floor
St. Louis, Missouri 63102
(314) 231-5400

KMP/lam

*Attachment

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RECORDATION FORM COVER SHEET
PATENTS ONLY

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies)/Execution Date(s):

Lawrence H. Thompson

Execution Date(s) October 4, 2001

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name
 Government Interest Assignment
 Executive Order 9424, Confirmatory License
 Other Agreement

4. Application or patent number(s):

This document is being filed together with a new application.

A. Patent Application No.(s)

09/637,962; filed August 11, 2000

B. Patent No.(s)

Additional numbers attached? Yes No

5. Name and address to whom correspondence concerning document should be mailed:

Name: Kathleen M. Petrillo

Internal Address: Senniger Powers

Street Address: One Metropolitan Square

16th Floor

City: St. Louis

State: Missouri Zip: 63102

Phone Number: 314-231-5400

Fax Number: 314-231-4342

Email Address: uspatents@senniger.com

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 1.21(h) & 3.41) \$ 40.00

Authorized to be charged by credit card
 Authorized to be charged to deposit account
 Enclosed
 None required (government interest not affecting title)

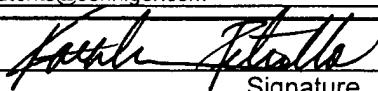
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a. Credit Card Last 4 Numbers _____
Expiration Date _____

b. Deposit Account Number 19-1345

Authorized User Name Senniger Powers Leavitt &

9. Signature:



Signature

2-18-05

Date

Kathleen M. Petrillo

Name of Person Signing

Total number of pages including cover sheet, attachments, and documents:

5

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AGREEMENT

THIS AGREEMENT (the "Agreement") is entered into as of the __ day of October, 2001, by and between Lawrence H. Thompson ("Thompson") and Elanex Pharma [IOM], Ltd, an Isle of Man Corporation (IOM).

WHEREAS, Baxter Healthcare SA, a company incorporated under the laws of Switzerland ("Buyer"), Baxter Corporation, a company incorporated under the laws of the province of Ontario, Elanex Pharma (BHMA), Ltd., a company organized and registered in the Bahamas, Elanex Pharmaceuticals, Inc., IOM Ltd., a company incorporated under the laws of the Isle of Man and wholly owned subsidiary of BHMA, Citex Laboratory, Ltd., a company incorporated under the laws of British Columbia and a wholly owned subsidiary of BHMA and incorporated under the laws of British Columbia and a wholly owned subsidiary of BHMA and Thompson are parties to that certain Asset Purchase Agreement dated as of August 24, 2001, as such agreement may be amended from time to time (the "Asset Purchase Agreement"); and

WHEREAS, in connection with the Asset Purchase Agreement, Buyer has requested that Thompson assign all of his right, title and interest in and to Work Product (as hereafter defined) to IOM, and Thompson has agreed to do the same.

NOW THEREFORE, in consideration of the transactions contemplated by the Asset Purchase Agreement, and for other good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. Work Product; Work. For purposes of this Agreement, "Work Product" means: (a) all intellectual property rights, including, without limitation, all U.S. and international copyrights, trade secrets, trademarks, patentable inventions, and other intellectual property rights in and to any ideas, concepts, techniques, programming, documentation, technology, formulas, compounds, compositions, biomedical, pharmaceutical and medical materials, cells, plasmids, fragments and constructs thereof, inventions, processes, works of authorship or other work product developed, conceived, reduced to practice, memorialized, made or created by Thompson, alone or jointly with others that relate to the business of scientific, clinical and commercial development, manufacture, marketing, distribution and sale of recombinant erythropoietins.

2. Ownership. Thompson hereby transfers and assigns, without further consideration, all of Thompson's right, title and interest in and to the Work Product to the Company, provided that as to IOM and all Elanex companies only, [but not Buyer who shall be entitled to rely on the finality and final binding nature of this agreement], Thompson reserves all rights he may have in respect to same.

3. Assignment. The Company may assign this Agreement to Buyer or any affiliate of Buyer. This Agreement shall inure to the benefit of, and be binding upon, the Company, together with its successors and assigns, and Thompson, together with Thompson's executors, administrators, personal representatives, heirs, and legatees.

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IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed the day and year first above written.

ELANEX PHARMA (IOM) LTD.

By:

Lawrence H. Thompson
Chief Executive Officer

LAWRENCE H. THOMPSON

*Signature Page to Agreement Between
Lawrence H. Thompson and Elanex Pharmaceuticals, Inc.*

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FEBRUARY 09, 2005

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* 700151804A *

SENNIGER POWERS
KATHLEEN M. PETRILLO
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16TH FLOOR
ST. LOUIS, MO 63102



UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF NON-RECORDATION OF DOCUMENT

DOCUMENT ID NO.: 700151804

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THE ORIGINAL DATE OF FILING OF THIS ASSIGNMENT DOCUMENT WILL BE MAINTAINED IF RESUBMITTED WITH THE APPROPRIATE CORRECTION(S) WITHIN 30 DAYS FROM THE DATE OF THIS NOTICE AS OUTLINED UNDER 37 CFR 3.51. THE RESUBMITTED DOCUMENT MUST INCLUDE A STAMP WITH THE OFFICIAL DATE OF RECEIPT UNDER 37 CFR 3. APPLICANTS MAY USE THE CERTIFIED PROCEDURES UNDER 37 CFR 1.8 OR 1.10 FOR RESUBMISSION OF THE RETURNED PAPERS, IF THEY DESIRE TO HAVE THE BENEFIT OF THE DATE OF DEPOSIT IN THE UNITED STATES POSTAL SERVICE.

SEND DOCUMENTS TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT
DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320,
WASHINGTON, D.C. 20231. IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE,
YOU MAY CONTACT THE INDIVIDUAL WHOSE NAME APPEARS ON THIS NOTICE AT
703-308-9723.

1. PLEASE REVIEW THE DATE IN ITEM 1-THERE SEEM TO BE 31 POTENTIAL DATES. PTO COMPUTERS AT THIS TIME REQUIRE A SPECIFIC DATE.

STEVEN POST, EXAMINER
ASSIGNMENT DIVISION
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